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6 Applicant and Attorneys for Chapter 7 Trustee

RICHARD A. MARSHACK

7 UNITED STATES BANKRUPTCY COURT

8 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

9  
10 In re

Case No. 8:20-bk-13014-ES

11 NORTHERN HOLDING, LLC,

Chapter 7

12 Debtor.

13 STIPULATION BETWEEN UNITED STATES  
14 TRUSTEE AND MARSHACK HAYS LLP  
15 REGARDING FIRST INTERIM FEE  
APPLICATION FOR ALLOWANCE OF FEES  
AND COSTS FILED BY MARSHACK HAYS  
LLP

16 [NO HEARING REQUIRED]

17 TO THE HONORABLE ERITHE A. SMITH, UNITED STATES BANKRUPTCY JUDGE, THE  
18 OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

19 This stipulation (“Stipulation”) is entered into by and between Marshack Hays LLP (“Firm”),  
20 general counsel for Richard A. Marshack, in his capacity as Chapter 7 Trustee (“Trustee”) of the  
21 bankruptcy estate (“Estate”) of Northern Holding, LLC (“Debtor”), on one hand, and Peter C.  
22 Anderson, United States Trustee (“UST”), on the other hand. The UST and the Firm (together, the  
23 “Parties”) stipulate to the following:

24 **Recitals**

25 A. On October 28, 2020, Debtor filed a voluntary petition for bankruptcy under Chapter  
26 11 of Title 11 of the United States Code, initiating the above-captioned bankruptcy case.

27 B. On June 15, 2021, the case was converted to Chapter 7. Richard A. Marshack was  
28 appointed as the Chapter 7 trustee of the converted case.

1 C. On April 14, 2022, as Dk. No. 315, the Firm filed its first interim application for  
2 allowance of fees and costs for the period of June 15, 2021, through and including March 31, 2022  
3 ("Application").

4 D. The Application seeks allowance of fees in the amount of \$266,530 and  
5 reimbursement of expenses in the amount of \$6,915.79.

6 E. After reviewing the Application, the UST has requested, and the Firm has agreed, to  
7 reduce the Firm's fee request by \$2,401.00 as a result of billing entries pre-dating the effective date  
8 of the Firm's employment as counsel for Trustee. Based on the agreed upon reduction, the Firm now  
9 seeks allowance of fees in the reduced amount of \$264,129.

10 WHEREFORE, the Parties agree as follows:

11 1. The Firm shall reduce the total amount of fees requested in the Application from  
12 \$266,530 to \$264,129.

13 2. The agreed upon reduction represents a permanent reduction in fees and the Firm may  
14 not seek approval of any such fees in any subsequent or supplemental request for compensation.

15 3. This Stipulation may be executed in one or more counterparts and facsimile or  
16 electronic signatures may be used in filing this document with the Court.

17  
18 Dated: April 28, 2022

MARSHACK HAYS LLP

19  
20 By: /s/ D. Edward Hays

21 D. EDWARD HAYS

22 TINHO MANG

Applicant and Attorneys for Chapter 7 Trustee,  
RICHARD A. MARSHACK

23 Dated: April 28, 2022

PETER C. ANDERSON

UNITED STATES TRUSTEE

25  
26 By: Queenie K. NG

QUEENIE K. NG  
Trial Attorney

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **STIPULATION BETWEEN UNITED STATES TRUSTEE AND MARSHACK HAYS LLP REGARDING FIRST INTERIM FEE APPLICATION FOR ALLOWANCE OF FEES AND COSTS FILED BY MARSHACK HAYS LLP** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 28, 2022**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **April 28, 2022**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**DEBTOR**

NORTHERN HOLDING, LLC  
ATTN: OFFICER, A MANAGING OR GENERAL AGENT,  
OR TO ANY OTHER AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO RECEIVE SERVICE  
13217 JAMBOREE RD #429  
TUSTIN, CA 92782

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **April 28, 2022**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

PURSUANT TO COURTROOM POLICIES AND PROCEDURES OF HONORABLE ERITHE A. SMITH, COURTROOM 5A, § VIII. JUDGES' OR COURTESY COPIES, EXCEPT FOR DOCUMENTS 200 PAGES OR OVER, INCLUDING EXHIBITS, JUDGE SMITH **DOES NOT** REQUIRE JUDGES' COPIES.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 28, 2022

Date

Layla Buchanan

Printed Name

/s/ Layla Buchanan

Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

- **INTERESTED PARTY COURTESY NEF:** William H Brownstein Brownsteinlaw.bill@gmail.com
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